

Notice of Allowability

Application No.

09/419,347

Examiner

Felisa C. Hiteshew

Applicant(s)

BURROWS, LEE J.

Art Unit

1765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 11/24/2003.
2. ☒ The allowed claim(s) is/are 14-22, 36-44, 59 and 69-84.
3. ☒ The drawings filed on 11/24/03 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**


7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>09419347</u> . |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |


Felisa C. Hiteshew
Primary Examiner
Art Unit: 1765

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Masako Ando on 01/28/2004.

The application has been amended as follows:

CROSS-REFERENCE TO RELATED APPLICATION

This is a continuation-in-part of co-pending United States patent application serial No. 09/309,361, filed May 11, 1999 - -now allowed - - and entitled, "Method for Pressurized Annealing of Lithium Niobate and Resulting Lithium Niobate Structures", by Lee J. Burrows assignor to California Institute of Technology, a California non-profit corporation. Patent application serial No. 09/309,361 - - now allowed - - claims the benefit of provisional patent application Serial No. 60/084,940 filed May 11, 1998, and entitled "Pressurized Annealing of Lithium Niobate". This application is also related to U.S. Patent application Serial No. 09/418,725, - - now U.S. Patent No. 6,625,386- - filed on even date herewith entitled "TITANIUM-INDIFFUSION WAVEGUIDES AND METHODS OF FABRICATION" by inventors Lee J. Burrows and William B. Bridges, both assignors to the California Institute of Technology; and U.S. Patent application Serial No. 09/419,349, - - now U.S. Patent No. 6,567,598 - - filed on even date herewith entitled "TITANIUM-INDIFFUSION WAVEGUIDES" by inventor Lee J. Burrows,

Art Unit: 1765

assignor the California Institute of Technology; and U.S. Patent application Serial No. 09/157,652, - - now U.S. Patent no. 6,518,078 - - filed September 21, 1998 entitled "ARTICLES USEFUL AS OPTICAL WAVEGUIDES AND METHOD FOR MANUFACTURING SAME" by inventor Lee J. Burrows, assignor to the California Institute of Technology.

2. The following is an examiner's statement of reasons for allowance: The most relevant prior art of reference was that which was submitted by the applicant. However, they do not teach nor fairly suggest singularly or in any combination thereof a method of annealing a lithium niobate substrate, as stated in the instant claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felisa C. Hiteshew whose telephone number is (703)308-2545. The examiner can normally be reached on Monday-Thursday 5:30a.m.-4p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Utech can be reached on (703) 308-3836. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-3599.

Art Unit: 1765

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



Felisa C. Hiteshew
Primary Examiner
Art Unit 1765

F.H.